IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 12TH FEBRUARY 2007 / 23RD MAGHA 1928

Crl.Rev.Pet.No.349 of 2007(C)

CRL.A.113/2004 OF THE COURT OF THE ADDITIONAL SESSIONS JUDGE, FAST TRACK COURT NO.III, PALAKKAD.

C.C.191/2002 OF THE COURT OF THE JUDICIAL FIRST CLASS MAGISTRATE-II, PALAKKAD.

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REVISION PETITIONER: APPELLANT/ACCUSED:-

M.ABDUL KAREEM, S/O.MUHAMMED KUTTY,
NEAR BEEF STALL, MUNDUR CHUNGAM, MUNDUR, PALAKKAD.

BY ADV. SRI.A.R.GANGADAS

RESPONDENTS: RESPONDENTS/COMPLAINANT AND STATE:-

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1. J.THANKCHAN(DIED), S/O.JOHN,
   ANAMUDIYIL MUNDUR, PALAKKAD.

2. N.SOSAMMA, W/O.LATE THANKCHAN,
   ANAMUDIYIL, MUNDUR, PALAKKAD.

3. SONIA, D/O.LATE THANKACHAN,
   ANAMUDIYIL, MUNDUR, PALAKKAD.

4. SHAJAN, S/O.LATE THANKACHAN,
   ANAMUDIYIL, MUNDUR, PALAKKAD.

5. SOFIA, D/O.LATE THANKACHAN,
   ANAMUDIYIL, MUNDUR, PALAKKAD.

6. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

R6 BY PUBLIC PROSECUTOR SRI.AMJAD ALI.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 12/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:-

K.R.Udayabhanu,J.

Crl.R.P.No.349 of 2007-C

Dated, this the 12th day of February, 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the learned Sessions Judge, to undergo imprisonment till the rising of the Court and to pay a compensation of Rs.32,100/- under Section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for two months.

2. It is the case of the revision petitioner that he had borrowed only Rs.10,000/- and a signed blank cheque was issued, which is allegedly misused by the complainant. It is submitted that the revision petitioner is a T.B. patient, who is unable to work and earn. The learned counsel for the revision petitioner has only sought for time to pay the compensation.

3. In the circumstances, the revision petitioner is granted six months time from today onwards to pay the amount of compensation. The conviction and sentence is confirmed. The

revision petitioner/accused shall appear before the Judicial First Class Magistrate-II, Palakkad on 13.8.2007 to receive the sentence.

The revision petition is disposed of as above.

K.R.Udayabhanu
Judge

vku/-